

JUL-10-03 THU 12:12 PM SALIWANCHIK

FAX NO. 3523725800

#21  
8-4-03  
Done

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on July 10, 2003.

*Frank C. Eisenschank*

Frank C. Eisenschank, Ph.D., Patent Attorney

ELECTION UNDER 35 USC §121

Examining Group 1639

Patent Application

Docket No. TPI-T200XC1

Serial No. 09/756,092

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Mauricio Garcia Baker, Ph.D.  
Art Unit : 1639  
Applicants : Michael J. Cima, Douglas Levinson, Anthony V. Lemmo, Nicholas Galakatos, David A. Putnam  
Serial No. : 09/756,092  
Filed : January 8, 2001  
Conf. No. : 5650  
For : High-Throughput Formation, Identification and Analysis of Diverse Solid Forms

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

ELECTION UNDER 35 USC §121

Sir:

In response to the written Restriction Requirement dated June 16, 2003 in the above-identified patent application, Applicants hereby elect, for purposes of examination in the subject application, the method of identifying (crystalline) salts as the species of claims 171, 175, and 177-179 (in part). This election is made without traverse.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,

*Frank C. Eisenschank*

Frank C. Eisenschank, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: 2421 N.W. 41st Street, Suite A-1  
Gainesville, FL 32606-6669

FCE/sl

J:\PAT\2003\11\election.doc\YND/sl

Received from <3523725800> at 7/10/03 12:07:55 PM (Eastern Daylight Time)

## FACSIMILE COVER SHEET

**SALIWANCHIK, LLOYD & SALIWANCHIK**

A Professional Association  
2421 N.W. 41<sup>st</sup> Street  
Suite A-1  
Gainesville, FL 32606

Telephone (352) 375-8100  
Facsimile (352) 372-5800

**FAX RECEIVED**

JUL 11 2003

**GROUP 1600****OFFICIAL****TO:** Examiner Maurie Garcia Baker, Ph.D. **FROM:** Frank C. Eisenschenk, Ph.D.**COMPANY:** U.S. Patent Office, Art Unit 1639 **DATE:** July 10, 2003**FAX NO.:** 1-703-872-9306 **NO. OF PAGES:** 2  
**(INCLUDING COVER SHEET)****SUBJECT/MESSAGE:**

**Re:** U.S. Patent Application Docket No. TPI-T200XC1  
Serial No. 09/756,092; filed January 8, 2001

Attachment: Election Under 35 USC §121 (1 page)

**THIS IS AN OFFICIAL DOCUMENT.**  
**PLEASE DELIVER IMMEDIATELY.**

*The information contained in this facsimile message is intended only for the personal and confidential use of the designated recipients named above. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message by mail. Thank you.*

**If you do not receive all pages or if any transmission is not legible, call the sender at (352) 375-8100.**

J:\TPAT200XC1\Fax2Examiner.doc/DNB/sl